

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Barry Usher, on March 24, 2021 at 8:00 AM, in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Barry Usher, Chair (R)  
Rep. Kathy Kelker, Vice Chair (D)  
Rep. Amy Regier, Vice Chair (R)  
Rep. Laurie Bishop (D)  
Rep. Jennifer Carlson (R)  
Rep. Robert Farris-Olsen (D)  
Rep. Frank Fleming (R)  
Rep. Tom France (D)  
Rep. Donavon Hawk (D)  
Rep. Jedediah Hinkle (R)  
Rep. Brandon Ler (R)  
Rep. Bob Phalen (R)  
Rep. Ed Stafman (D)  
Rep. Mallerie Stromswold (R)  
Rep. Danny Tenenbaum (D)

**Members Excused:**

Rep. Seth Berglee (R)  
Rep. Jane Gillette (R)  
Rep. Dennis R. Lenz (R)  
Rep. Derek Skees (R)

**Members Absent:** None

**Staff Present:**

Lydia Balian, Committee Secretary  
Rachel Weiss, Legislative Branch  
Hallie Swain, Remote Meeting Coordinator

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 83, 3/22/2021; SB 219, 3/22/2021; HB 656, 3/22/2021; SB 370, 3/22/2021

**HEARING ON SB 83**

**Opening Statement by Sponsor:**

08:03:49 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 83, Revise special lien law.

08:04:21 Rep. Berglee and Rep. Skees joined the meeting.

**Proponents' Testimony:**

08:10:34 Adam Gilbertson, Montana Equipment Dealers Association (MEDA)

08:12:18 Brad Griffen, Montana Equipment Dealers Association (MEDA)

08:14:03 Tom Zimmer, Tri State Truck and Equipment

08:14:58 Rep. Gillette joined the meeting.

08:15:59 Tami Christiansen, self

**Opponents' Testimony:**

08:17:11 Jay Bodner, Montana Stock Growers Association (MSGA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:18:45 Vice Chair Kelker

08:20:44 Brad Griffen, MEDA

08:21:00 Adam Gilbertson, MEDA

08:22:32 Rep. Carlson

08:24:45 Sen. Hoven

08:25:21 Rep. Stafman

08:26:43 Sen. Hoven

08:27:23 Rep. J. Hinkle

08:28:17 Sen. Hoven

**Closing by Sponsor:**

08:29:49 Sen. Hoven

**HEARING ON SB 219**

**Opening Statement by Sponsor:**

08:30:43 Sen. David Howard (R), SD 29, opened the hearing on SB 219, Providing for release of call location to law enforcement in an emergency.

[EXHIBIT\(juh58a01\)](#)

**Proponents' Testimony:**

08:34:46 Dan Smith, Montana Police Protective Association (MPPA)

08:35:51 Nanette Gilberston, Montana Sheriffs and Peace Officers Association (MSPOA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

08:37:02 Chair Usher  
08:37:14 Rachel Weiss, Legislative Services Division (LSD)

**Closing by Sponsor:**

08:37:27 Sen. Howard

**HEARING ON HB 656**

**Opening Statement by Sponsor:**

08:38:45 Rep. Joe Read (R), HD 93, opened the hearing on HB 656, Providing appropriations related to law enforcement within Flathead Reservation.

[\*\*EXHIBIT\(juh58a02\)\*\*](#)

08:43:36 Chair Usher left the meeting.  
08:43:40 Vice Chair Regier assumed the chair.

**Proponents' Testimony:**

08:45:39 Sen. Hertz

[\*\*EXHIBIT\(juh58a03\)\*\*](#)

08:50:22 Chair Usher rejoined the meeting.  
08:50:37 Commissioner Gail Decker, Lake County District 3  
08:54:25 Commissioner William Barron, Lake County District 1

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:01:02 Rep. Fleming  
09:02:37 Rep. Read  
09:03:49 Vice Chair Kelker  
09:05:16 Commissioner Gail Decker, Lake County District 3  
09:06:23 Vice Chair Kelker  
09:08:19 Sen. Hertz

[\*\*EXHIBIT\(juh58a04\)\*\*](#)

09:09:23 Rep. Hawk  
09:10:01 Rep. Read  
09:10:19 Rep. Berglee  
09:11:17 Commissioner Gail Decker, Lake County District 3  
09:11:30 Rep. Hawk  
09:12:03 Rep. Read  
09:12:19 Chair Usher  
09:14:40 Sen. Hertz

**Closing by Sponsor:**

09:15:28 Rep. Read

09:19:07 Brief Recess

09:30:08 Reconvened

### **HEARING ON SB 370**

#### **Opening Statement by Sponsor:**

09:30:25 Sen. Jason Ellsworth (R), SD 43, opened the hearing on SB 370, Protecting constitutional rights during an emergency.

**Proponents' Testimony:** None

#### **Opponents' Testimony:**

09:35:03 Kelly Lynch, Montana League of Cities and Towns (MLCT)

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

09:37:41 Vice Chair Kelker  
09:39:53 Kelly Lynch, MLCT  
09:40:19 Rep. Ler  
09:40:55 Kelly Lynch, MLCT  
09:41:18 Rep. J. Hinkle  
09:42:53 Kelly Lynch, MLCT  
09:44:13 Rep. J. Hinkle  
09:47:01 Sen. Ellsworth  
09:48:31 Chair Usher  
09:48:40 Rep. Bishop  
09:52:48 Kelly Lynch, MLCT  
09:53:03 Rep. Stafman  
09:55:11 Kelly Lynch, MLCT  
09:55:21 Rep. Skees  
09:56:49 Kelly Lynch, MLCT  
09:57:07 Rep. Skees  
09:57:46 Sen. Ellsworth  
10:00:35 Rep. France  
10:01:34 Sen. Ellsworth  
10:03:06 Chair Usher  
10:03:47 Sen. Ellsworth

#### **Closing by Sponsor:**

10:05:01 Sen. Ellsworth

**ADJOURNMENT**

Adjournment: 10:06:33

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Lydia Balian, Secretary

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Additional Documents:

**EXHIBIT**([juh58aad.pdf](#))